



COMMONWEALTH OF MASSACHUSETTS
**Board of Registration
of
Hazardous Waste Site Cleanup Professionals**

**MINUTES
of
BOARD MEETING**

Held on
June 25, 2009

Meeting Location: Raytheon Company
870 Winter Street
Waltham, Mass.

Prepared by: A. Fierce

[Approved: July 23, 2009]

1. **Call to Order:** Chairperson Janine Commerford called the meeting to order at 3:30 p.m. The other Board members present were Deborah Farnsworth, Jack Guswa, Kirk Franklin, Gretchen Latowsky, Robert Luhrs, and Debra Stake. Gail Batchelder, Christophe Henry, and Kelley Race were absent. The LSP Board staff members present were Allan Fierce, Lynn Read, Brian Quinlan, Terry Wood, and Al Wyman.
2. **Announcements:** There were no announcements.
3. **Agenda:** The Board members agreed to follow the draft agenda.
4. **Minutes:** The Board reviewed the draft minutes of the meeting of the Board held on May 27, 2009. A minor correction was requested on page 4. **A motion was made and seconded to approve the minutes as corrected. The motion was approved unanimously.**
5. **Decisions Regarding License Applicants:** The staff presented the following Application Docket:

Docket No. 1: The applicant's name, company name, application number, and Application Review Panel recommendation were read into the record:

		<u>App. No.</u>	<u>ARP</u>	<u>Rec.</u>
Scott E. Kraihanzel	Prime Engineering	#5738	220	A

No members were recused.

A motion was made and seconded that the Board accept the recommendation from Application Review Panel #220, i.e., that the application submitted by Mr. Kraihanzel be approved and that he be found eligible to take the exam. The motion was approved unanimously.

6. License Renewal Applications:

A. Renewal Dockets. The staff presented the following License Renewal Dockets:

Renewal Docket #1

License Renewal

Renewal Date: July 30, 2009

Have met all requirements for renewal.

New Renewal Date: July 30, 2012

- | | |
|----------------------|-------|
| 1. Thomas A. Chapman | #4065 |
| 2. Daniel W. Felten | #7432 |
| 3. David A. Melycher | #9068 |

Renewal Docket #2

Renewal After 90-day Extension

Renewal Date: April 30, 2009

New Renewal Date: April 30, 2012

- | | |
|-------------------------|-------|
| 1. Reginald H. Achilles | #3675 |
| 2. Elizabeth C. Casey | #5171 |
| 3. Neal M. Drawas | #9844 |
| 4. Richard K. Quateman | #7716 |

Renewal Docket #3

Request for a 90-day Extension

Renewal Date: July 30, 2009

New Renewal Date: October 28, 2009

- | | |
|-----------------|-------|
| 1. James R. Ash | #6581 |
|-----------------|-------|

Renewal Docket #4

Renewal After Expiration

New Renewal Date: July 30, 2012

- | | |
|-------------------|-------|
| 1. Kurt E. Klages | #7770 |
|-------------------|-------|

2. Stephen B. Ransom

#4601

A motion was made and seconded to renew the licenses of the LSPs on Renewal Dockets #1, 2, and 4 for a three-year period ending on the dates indicated and to grant a 90-day extension to the LSP on Renewal Docket #3. The motion was approved unanimously.

B. Other Renewal-related Matters. Mr. Fierce reported that no waiver requests had been received since the previous meeting, and there were no other renewal-related matters.

8. Other Licensing-Related Matters:

A. New Panel Assignments and Scheduling. The following Board members were assigned to Application Review Panel # 226: Ms. Commerford, Mr. Franklin, and Ms. Latowsky.

B. Appeals Status Report. Ms. Wood reported that there are no pending appeals regarding the Board's denial of a license application.

C. Inactive Status Report. Mr. Fierce reported that since the previous meeting there have been no changes to the list of Inactive LSPs. Four LSPs remain on Inactive Status.

D. LSPs Reinstated After Late Payment of Annual Fee. The staff announced that licenses of the following LSPs were reinstated after they paid the Annual Fee within 90 days of the suspension of their licenses for non-payment of the Annual Fee:

- T. Lawrence Hine (2950) at c.o.b. on 6/1/09
- A. Lee Gustafson (9742) at c.o.b. on 6/8/09

E. Total Number of Active and Inactive LSPs. Mr. Fierce reported that the total number of Active LSPs as of the date of this meeting was 546.

F. Revisions to Application Forms (Application Committee). Mr. Fierce reported that the Committee had not met to discuss revisions to the key questions on the Application forms. He also reported progress in his efforts to update the forms and make it easier for applicants to fill them out electronically. He asked the Board to consider making one change to the forms, i.e., to eliminate the option to either waive or not waive any right the applicant may have to review the reference forms submitted with his/her application. The Board discussed this and could not identify a convincing reason why this waiver should not be mandatory. It was the consensus of the Board that this change to the forms be made.

9. **Examinations:**

- A. **New Licensees.** The staff reported that the exam had not been administered since the previous Board meeting. Therefore, there are no new licensees.
- B. **Next LSP Exam.** The staff reported that the next exam administration date is July 9, 2009.

10. **Continuing Education Committee Report:**

- A. **Course and Conference Approval Requests.** Mr. Wyman reported that the Committee had met earlier in the day and had the following course recommendation to present to the full Board:

Sponsor: MassDEP

Course Title: *Managing Risk in Contaminated Wetlands*

Credits Requested: 2 DEP Course (regulatory) credits

Committee Recommendation: **Approve.**

A motion was made and seconded to accept the Committee's course recommendation. The motion was approved unanimously.

- B. **Other Business.** The Committee had no other business to report.

11. **Professional Conduct Committee:** Since all the Board members present at this meeting were also present at the Professional Conduct Committee meeting held earlier in the day, the Board agreed to forego a Committee report.

12. **Personnel, Budget, and Fees:**

- A. **Budget.** Mr. Fierce informed the Board of the status of the state's FY-2010 budgeting process as it affects the Board. He said that back in April the House Ways & Means Committee and then the full House approved a budget bill that allocated \$419,188 for the Board. This amount was approximately \$1000 less than the Governor had proposed early in the year. In May, facing falling state revenues, the Senate Ways & Means Committee cut many state programs below the level specified in the House budget. The Board's budget was reduced by over \$77,000 to \$342,117, an amount which Mr. Fierce said was insufficient to fund the Board's operations at the current level. The full Senate approved this figure in the Senate budget. Mr. Fierce said that a House-Senate Conference Committee subsequently adopted the Senate's budget for the LSP Board. The Legislature's budget now goes to the Governor for his review. The Board members discussed what steps could possibly be taken to maintain the Board's operations under this reduced budget.
- B. **Fees.** Mr. Fierce suggested that the Board drop further consideration of allowing LSPs who are experiencing economic hardship, perhaps due to a layoff, to pay the

Annual Fee using an installment payment plan. He said that at the present time this issue does not seem to be a pressing one. It appears to him that all LSPs who wish to remain licensed have paid the fee in full.

The Board then discussed whether it might be of benefit during the Legislature's budget deliberations next year if the Board were to raise its fees, at least to account for inflation since the fees were last changed. The Board members generally agreed that this might be helpful. But it was noted that such a step is not entirely in the Board's hands. All fee changes must be approved by the Executive Office for Administration & Finance. It was suggested that the Board consider submitting a proposal to A&F by the end of the year for its next fee review cycle (fees that would take effect in mid-2010).

13. **Status of Board Member Replacements by Governor:** Ms. Commerford stated that the Governor has not acted on the pending replacement request. Mr. Fierce reported that an intern at the Governor's appointments office called and asked him to review a website page that office had created that listed the current Board members and the slots they held on the Board. Mr. Fierce said that he did so, and then suggested that a few corrections be made, including that Paul Mullen be removed from the Board's page.
14. **Other Business:** The Board did not discuss any other business.
15. **Scheduling of Next Meeting:** The Board agreed to hold its next meeting on July 23, 2009, at the New Bedford Whaling Museum. The following meeting was tentatively scheduled for August 27, 2009, at a location to be determined.
16. **Adjournment:** The meeting was adjourned at 4:08 p.m.